

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

AHMED AL-JALHAM,

Plaintiff,

CASE NO: 15-11991

DISTRICT JUDGE VICTORIA A. ROBERTS

MAGISTRATE JUDGE PATRICIA T. MORRIS

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

---

**ORDER ADOPTING REPORT AND RECOMMENDATION (Doc. #17)**  
**GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Doc. # 14)**  
**AND DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (Doc. # 11)**

Plaintiff Ahmed Al-Jalham ("Al-Jalham") brings this action pursuant to 42 U.S.C. 405(g). He appeals the denial of Social Security disability benefits by the Commissioner of Social Security (the "Commissioner"). The Appeals Council denied Al-Jalham's Request for Review of the decision issued by the Administrative Law Judge ("ALJ") on February 6, 2014. That ALJ decision stands as the Commissioner's final decision. The parties filed cross-motions for summary judgment. The Court referred those motions to Magistrate Judge Patricia T. Morris.

Magistrate Judge Morris issued a Report and Recommendation ("R&R") recommending that the Court grant Defendant's Motion and deny Al-Jalham's. Magistrate Judge Morris found that: (1) The ALJ properly assessed the side effects of Al-Jalham's medication; (2) the ALJ explicitly addressed Al-Jalham's combination of impairments, but that Al-Jalham failed to directly address the ALJ's application of the

combination of his impairments and waived that issue; (3) the ALJ gave proper weight to and good reasons for the opinions and assessments of Al-Jalham's treating medical sources, including those of Dr. Nasser, but that Al-Jalham failed to directly raise an argument concerning the adequacy of the ALJ's reasons for assigning little weight to Dr. Nasser's opinion, and waived that issue; and (4) the ALJ's assessment of Al-Jalham's credibility as non-persuasive -- in light of Al-Jalham's representations, medical records, conservative treatment history, side effects from medication, activities of daily living, and his work history since the alleged onset date -- is supported by substantial evidence.

Al-Jalham filed objections to the R&R. They relate to: (1) the assessment of the side effects of medication; (2) the consideration given to how the combination of multiple impairments will affect his ability to hold substantial gainful employment; (3) the weight given to Dr. Nasser's opinions; and (4) the credibility assessment. The Commissioner responded to the objections.

After proper objections are made, the Court reviews *de novo* a Magistrate Judge's Report and Recommendation on a dispositive motion. 28 U.S.C. § 636(b)(1); F. R. Civ. P. 72(b)(3). A court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. *Id.* A district court need not conduct *de novo* review where the objections are "[f]rivolous, conclusive or general." *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir.1986) (citation omitted); see also *Rice v. Comm'r of Soc. Sec.*, 169 F. App'x 452, 453-54 (6th Cir. 2006) ("issues adverted to in a perfunctory manner, unaccompanied by some effort at developed argumentation, are deemed waived.") (quoting *McPherson v. Kelsey*, 125 F.3d 989, 995-96 (6th Cir.1997)). After completing a *de novo* review, there is no requirement that the district court articulate all

of the reasons it rejects a party's objections. *Tuggle v. Seabold*, 806 F.2d 87, 93 (6th Cir. 1986); *Dickey-Williams v. Comm'r of Soc. Sec.*, 975 F. Supp. 2d 792, 798 (E.D. Mich. 2013).

After carefully reviewing the cross motions for summary judgment, the R&R, Al-Jalham's objections, the Commissioner's response, and the remainder of the record, the Court agrees with Magistrate Judge Morris's conclusions.

Magistrate Judge Morris accurately laid out the facts and relevant portions of the administrative record; she engaged in a thorough analysis of the issues and provided reasoned explanations for her conclusions. In reaching her conclusions, Magistrate Judge Morris considered the entire record and applied the appropriate standard for review of an ALJ's decision.

Accordingly, the Court **ADOPTS** Magistrate Judge Morris's Report and Recommendation: Defendant's Motion for Summary Judgment is **GRANTED**; Plaintiff's Motion for Summary Judgment is **DENIED**. The decision of the Commissioner of Social Security is **AFFIRMED**.

**IT IS ORDERED.**

/s/ Victoria A. Roberts  
Victoria A. Roberts  
United States District Judge

Dated: September 14, 2016

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on September 14, 2016.

s/Linda Vertriest \_\_\_\_\_  
Deputy Clerk